

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	
)	
GAURAV BHASIN,)	Nos.: 3:20-CR-18-TAV-HBG-2
MARILYN STERK,)	3:20-CR-18-TAV-HBG-3
JENNIFER STERK, and)	3:20-CR-18-TAV-HBG-4
TERESA STERK VANBAALE,)	3:20-CR-18-TAV-HBG-5)
)	
Defendants.)	

ORDER

This criminal case is before the Court on defendants Marilyn Sterk, Jennifer Sterk, and Teresa Sterk Vanbaale's Unopposed Motion to Continue Trial [Doc. 85] and defendant Gaurav Bhasin's Motion to Join the Unopposed Motion to Continue Docket Entry 85 [Doc. 86]. Defendants Marilyn Sterk, Jennifer Sterk, and Teresa Sterk Vanbaale move to continue the trial of this case, currently scheduled for November 16, 2021. These defendants note that this is a complex case involving out-of-state defendants and witnesses. These defendants further note that the parties have worked diligently but that the COVID-19 pandemic has hindered their ability to prepare for trial. Thus, these defendants aver a trial continuance is in the interests of justice. These defendants specifically request to move the trial to April 5, 2022. The government does not oppose the motion. Defendant Gaurav Bhasin agrees by separate motion [Doc. 86], and the only remaining defendant Ankur Khemani has pled guilty [*See* Doc. 83].

Upon consideration of this motion, it appears to the Court that defendants require additional time to prepare adequately for trial, taking into account the exercise of due diligence by the parties. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court thus finds that a failure to continue this case would likely result in a miscarriage of justice. *Id.* § 3161(h)(7)(B)(i). Accordingly, the Court finds that the ends of justice served by granting such a continuance outweigh the best interests of the public and defendants in a speedy trial. *Id.* § 3161(h)(7)(A).

For good cause shown, and in light of the lack of any objection by the government, defendants' motions [Docs. 85, 86] are hereby **GRANTED**, and the trial of this case, previously scheduled for November 16, 2021, is **CANCELLED** and is **RESCHEDULED** for **Tuesday, April 5, 2022, at 9:00 a.m.** The plea agreement deadline is extended to **Monday, March 7, 2022**. The period of time between the filing of defendants' motions and the new trial date shall be fully excludable under the Speedy Trial Act. *Id.* § 3161(h)(7)(A)–(B).

IT IS SO ORDERED.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE